



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

V.

JERRY LYNN METTLEN

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CASE NO. 6:07-CR-24

**ORDER ADOPTING
FINDINGS OF FACT AND RECOMMENDATION ON PLEA OF TRUE**

The Court referred this matter to United States Magistrate Judge Keith F. Giblin, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636(b) and the Local Rules for the United States District Court for the Eastern District of Texas. In accordance with 18 U.S.C. § 3401(i) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation on the revocation of the defendant's supervised release. The magistrate judge recommended that the Court revoke the defendant's supervised release and impose a term of imprisonment for the revocation with an additional term of supervision to follow.

The parties have not objected to Judge Giblin's report. Accordingly, after review, the Court concludes that the Findings of Fact and Recommendation on Plea of True (Doc. #33) should be accepted.

It is **ORDERED** that the Findings of Fact and Recommendation (Doc. #33) are **ADOPTED**. The Court finds that Defendant, Jerry Lynn Mettlen, violated conditions of his supervised release. The Court accordingly **ORDERS** that the Defendant's term of supervision is **REVOKED**. Pursuant to the magistrate judge's recommendation, the Court **ORDERS** Defendant to serve a term of three (3) months imprisonment for the revocation, with a twenty-seven (27) month term of supervised release to follow. The conditions of supervision will be set forth in a separate revocation judgment. The Court further recommends that the defendant receive credit toward his sentence for time spent in custody in Angelina County and that he be allowed to finish his sentence there, if possible.

So ORDERED and SIGNED this 6th day of December, 2012.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**